

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

GEOTAG, INC.

PLAINTIFF,

v.

NO. 2:10-CV-570-TJW

AROMATIQUE, INC.; ACADEMY, LTD.
D/B/A ACADEMY SPORTS + OUTDOORS
D/B/A ACADEMY SPORTS AND
OUTDOORS; ADIDAS AMERICA, INC.;
ASICS AMERICA CORP.; AT&T
MOBILITY LLC D/B/A AT&T MOBILITY;
AT&T MOBILITY II LLC D/B/A AT&T
MOBILITY; AVON PRODUCTS, INC.;
BEST BUY CO., INC. D/B/A BEST BUY;
BBY SOLUTIONS, INC.; BROWN JORDAN
INTERNATIONAL, INC. D/B/A BROWN
JORDAN; BROOKSTONE COMPANY, INC.;
CHRISTIAN DIOR PERFUMES, INC. D/B/A
CHRISTIAN DIOR D/B/A DIOR D/B/A
DIOR.COM; CHRISTIAN DIOR PERFUMES,
LLC D/B/A CHRISTIAN DIOR D/B/A DIOR
D/B/A DIOR.COM; CRAFTMASTER
MANUFACTURING, INC. D/B/A
CRAFTMASTER D/B/A CMI;
DOLLAR TREE, INC.; FOOT LOCKER, INC.;
FOOT LOCKER RETAIL, INC.;
FOOTLOCKER.COM, INC.; GAMESTOP
CORP.; GANDER MOUNTAIN COMPANY;
HINKLEY LIGHTING, INC.; KOHL'S
ILLINOIS, INC.; KOHL'S DEPARTMENT
STORES, INC.; KOHL'S CORPORATION;
LUCY ACTIVEWEAR, INC.; MICHAELS
STORES, INC.; NEW CINGULAR
WIRELESS SERVICES, INC. D/B/A AT&T
WIRELESS; NORDSTROM, INC.; OLD
NAVY, LLC; OSCAR DE LA RENTA, LTD;
PETSMART, INC.; PETSMART STORE
SUPPORT GROUP, INC.; RICHEMONT
NORTH AMERICA, INC. D/B/A CARTIER;
ROLEX WATCH USA, INC.; STERLING
JEWELERS, INC. D/B/A JARED THE
GALLERIA OF JEWELRY D/B/A KAY

JEWELERS; TARGET CORP.; THE TJX COMPANIES, INC. D/B/A TJ MAXX; TOYS 'R'US, INC.; GEOFFREY, LLC; VAN CLEEF & ARPELS, INC.; VF CORP. D/B/A 7 FOR ALL MANKIND D/B/A 7FAM D/B/A SEVEN JEANS D/B/A LUCY ACTIVEWEAR; SEVEN FOR ALL MANKIND, LLC D/B/A 7FAM; VF JEANSWEAR, L.P. D/B/A WRANGLER; VF OUTDOOR, INC. D/B/A THE NORTH FACE AND VICTORIA'S SECRET DIRECT BRAND MANAGEMENT, LLC,

DEFENDANTS.

JURY TRIAL DEMANDED

AMENDED COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff GEOTAG, INC. files this Amended Complaint¹ against the Defendants named herein, namely AROMATIQUE, INC.; ASICS AMERICA CORP.; ACADEMY, LTD. D/B/A ACADEMY SPORTS + OUTDOORS D/B/A ACADEMY SPORTS AND OUTDOORS; ADIDAS AMERICA, INC.; AT&T MOBILITY LLC D/B/A AT&T MOBILITY; AT&T MOBILITY II LLC D/B/A AT&T MOBILITY; AVON PRODUCTS, INC.; BEST BUY CO., INC. D/B/A BEST BUY; BBY SOLUTIONS, INC.; BROWN JORDAN INTERNATIONAL, INC. D/B/A BROWN JORDAN; BROOKSTONE COMPANY, INC.; CHRISTIAN DIOR PERFUMES, INC. D/B/A CHRISTIAN DIOR D/B/A DIOR D/B/A DIOR.COM; CHRISTIAN DIOR PERFUMES, LLC D/B/A CHRISTIAN DIOR D/B/A DIOR D/B/A DIOR.COM; CRAFTMASTER MANUFACTURING, INC. D/B/A CRAFTMASTER D/B/A CMI; DOLLAR TREE, INC.; FOOT LOCKER, INC.; FOOT LOCKER RETAIL, INC.; FOOTLOCKER.COM, INC.; GAMESTOP CORP.; GANDER MOUNTAIN COMPANY; HINKLEY LIGHTING, INC.; KOHL'S ILLINOIS, INC.; KOHL'S DEPARTMENT STORES, INC.; KOHL'S CORPORATION; LUCY ACTIVEWEAR, INC.; MICHAEL'S STORES, INC.; NORDSTROM,

¹ Geotag's complaint is being amended pursuant to Fed. R. Civ. P. 15(a)(1)(B).

INC.; OLD NAVY, LLC; OSCAR DE LA RENTA, LTD; PETSMART, INC.; PETSMART STORE SUPPORT GROUP, INC.; RICHEMONT NORTH AMERICA, INC. D/B/A CARTIER; ROLEX WATCH USA, INC.; STERLING JEWELERS, INC. D/B/A JARED THE GALLERIA OF JEWELRY D/B/A KAY JEWELERS; TARGET CORP.; THE TJX COMPANIES, INC. D/B/A TJ MAXX; TOYS'R'US, INC.; GEOFFREY, LLC; VAN CLEEF & ARPELS, INC.; VF CORP. D/B/A 7 FOR ALL MANKIND D/B/A 7FAM D/B/A SEVEN JEANS D/B/A LUCY ACTIVEWEAR; SEVEN FOR ALL MANKIND, LLC D/B/A 7FAM; VF JEANSWEAR, L.P. D/B/A WRANGLER; VF OUTDOOR, INC. D/B/A THE NORTH FACE and VICTORIA'S SECRET DIRECT BRAND MANAGEMENT, LLC (collectively 'Defendants'), as follows:

PARTIES

1. Plaintiff GEOTAG, INC. ('GEOTAG' or 'Plaintiff') has a place of business in Plano, Texas.
2. On information and belief, Defendant AROMATIQUE, INC. ('AROMATIQUE') has a place of business in Heber Springs, Arkansas.
3. On information and belief, Defendant ACADEMY, LTD. D/B/A ACADEMY SPORTS + OUTDOORS D/B/A ACADEMY SPORTS AND OUTDOORS ('ACADEMY') has a place of business in Katy, Texas.
4. On information and belief, Defendant ADIDAS AMERICA, INC. ('ADIDAS') has a place of business in Portland, Oregon.
5. On information and belief, Defendant ASICS AMERICA CORP. ('ASICS') has a place of business in Irvine, California.

6. On information and belief, Defendant AT&T MOBILITY LLC D/B/A AT&T MOBILITY ('AT&T MOBILITY I') has a place of business in ATLANTA, GA.

7. On information and belief, Defendant AT&T MOBILITY II LLC D/B/A AT&T MOBILITY ('AT&T MOBILITY II') has a place of business in ATLANTA, GA.

8. On information and belief, Defendant AVON PRODUCTS, INC. ('AVON') has a place of business in New York, New York.

9. On information and belief, Defendant BEST BUY CO., INC. D/B/A BEST BUY has a place of business in Richfield, Minnesota.

10. On information and belief, Defendant BBY SOLUTIONS, INC. has a place of business in Richfield, Minnesota. Hereinafter BEST BUY CO., INC. D/B/A BEST BUY and BBY SOLUTIONS, INC. are collectively referred to as 'BEST BUY.'

11. On information and belief, Defendant BROWN JORDAN INTERNATIONAL, INC. D/B/A BROWN JORDAN ('BROWN JORDAN') has a place of business in Louisville, Kentucky.

12. On information and belief, Defendant BROOKSTONE COMPANY, INC. ('BROOKSTONE') has a place of business in Merrimack, New Hampshire.

13. On information and belief, Defendant CHRISTIAN DIOR PERFUMES, INC. D/B/A CHRISTIAN DIOR D/B/A DIOR D/B/A DIOR.COM has a place of business in New York, New York.

14. On information and belief, Defendant CHRISTIAN DIOR PERFUMES, LLC has a place of business in New York, New York. Hereinafter, Defendant CHRISTIAN DIOR PERFUMES, INC. D/B/A CHRISTIAN DIOR D/B/A DIOR D/B/A DIOR.COM and

CHRISTIAN DIOR PERFUMES, LLC D/B/A CHRISTIAN DIOR D/B/A DIOR D/B/A DIOR.COM are collectively referred to as “CHRISTIAN DIOR.”

15. On information and belief, Defendant CRAFTMASTER MANUFACTURING, INC. D/B/A CRAFTMASTER D/B/A CMI (“CRAFTMASTER”) has a place of business in Chicago, Illinois.

16. On information and belief, Defendant DOLLAR TREE, INC. (“DOLLAR TREE”) has a place of business in Chesapeake, Virginia.

17. On information and belief, Defendants FOOT LOCKER, INC., FOOT LOCKER RETAIL, INC. and FOOTLOCKER.COM, INC. (collectively “FOOT LOCKER”) have a place of business in New York, New York.

18. On information and belief, Defendant FOOT LOCKER, INC. has a place of business in New York, New York.

19. On information and belief, Defendant FOOT LOCKER RETAIL, INC. has a place of business in New York, New York.

20. On information and belief, Defendant FOOTLOCKER.COM, INC. has a place of business in New York, New York. Hereinafter FOOT LOCKER, INC., FOOT LOCKER RETAIL, INC. and FOOTLOCKER.COM, INC. are collectively referred to as “FOOT LOCKER”.

21. On information and belief, Defendant GAMESTOP CORP. (“GAMESTOP”) has a place of business in Grapevine, Texas.

22. On information and belief, Defendant GANDER MOUNTAIN COMPANY (“GANDER MOUNTAIN”) has a place of business in St. Paul, Minnesota.

23. On information and belief, Defendant HINKLEY LIGHTING, INC. (“HINKLEY”) has a place of business in Cleveland, Ohio.

24. On information and belief, Defendant KOHL'S ILLINOIS, INC. has a place of business in Menomonee Falls, Wisconsin.

25. On information and belief, Defendant KOHL'S DEPARTMENT STORES, INC. has a place of business in Menomonee Falls, Wisconsin.

26. On information and belief, Defendant KOHL'S CORPORATION has a place of business in Menomonee Falls, Wisconsin. Hereinafter KOHL'S ILLINOIS, INC., KOHL'S DEPARTMENT STORES, INC., and KOHL'S CORPORATION are collectively referred to as 'KOHL'S'

27. On information and belief, Defendant LUCY ACTIVEWEAR, INC. has a place of business in Alameda, California.

28. On information and belief, Defendant MICHAELS STORES, INC. ('MICHAELS') has a place of business in Austin, Texas.

29. On information and belief, Defendant NEW CINGULAR WIRELESS SERVICES, INC. D/B/A AT&T MOBILITY ('NEW CINGULAR') has a place of business in Dallas, Texas. Hereinafter, AT&T MOBILITY I, AT&T MOBILITY II and NEW CINGULAR are collectively referred to as "AT&T MOBILITY."

30. On information and belief, Defendant NORDSTROM, INC. ('NORDSTROM') has a place of business in Seattle, Washington.

31. On information and belief, Defendant OLD NAVY, LLC ('OLD NAVY') has a place of business in San Francisco, California.

32. On information and belief, Defendant OCSCAR DE LA RENTA, LTD. ('OSCAR DE LA RENTA') has a place of business in New York, New York.

33. On information and belief, Defendant PETSMART, INC. has a place of business in Phoenix, Arizona.

34. On information and belief, Defendant PETSMART STORE SUPPORT GROUP, INC. has a place of business in Phoenix, Arizona. Hereinafter PETSMART, INC. and PETSMART STORE SUPPORT GROUP, INC. are collectively referred to as “PET SMART”

35. On information and belief, Defendant RICHEMONT NORTH AMERICA, INC. D/B/A CARTIER (‘CARTIER’)

36. On information and belief, Defendant ROLEX WATCH USA, INC. (‘ROLEX’) has a place of business in New York, New York.

37. On information and belief, Defendant STERLING JEWELERS, INC. D/B/A JARED THE GALLERIA OF JEWELRY D/B/A KAY JEWELERS (‘STERLING’) has a place of business in Akron, Ohio.

38. On information and belief, Defendant TARGET CORP. (‘TARGET’) has a place of business in Nicollet Mall, Minnesota.

39. On information and belief, Defendant THE TJX COMPANIES, INC. D/B/A TJ MAXX (‘TJ MAXX’) has a place of business in Framingham, Massachusetts.

40. On information and belief, Defendant TOYS ‘R’US, INC. has a place of business in Wayne, New Jersey.

41. On information and belief, Defendant GEOFFREY, LLC has a place of business in Wayne, New Jersey. Hereinafter TOYS ‘R’US, INC. and GEOFFREY, LLC are collectively referred to as “TOYS ‘R’US”

42. On information and belief, Defendant VAN CLEEF & ARPELS, INC. (‘VAN CLEEF’) has a place of business in New York, New York.

43. On information and belief, Defendant VF CORPORATION D/B/A 7 FOR ALL MANKIND D/B/A 7FAM D/B/A SEVEN JEANS D/BA LUCY ACTIVEWEAR ("VFC") has a place of business in Greensboro, North Carolina.

44. On information and belief, Defendant SEVEN FOR ALL MANKIND, LLC D/B/A 7FAM ("7FAM") has a place of business in Greensboro, North Carolina.

45. On information and belief, Defendant VF JEANSWEAR, L.P. D/B/A WRANGLER ("WRANGLER") has a place of business in Greensboro, North Carolina.

46. On information and belief, Defendant VF OUTDOOR, INC. D/B/A THE NORTH FACE ("VFO") has a place of business in Greensboro, North Carolina. Hereinafter, VFC, 7FAM, WRANGLER and VFO are collectively referred to as "VF."

47. On information and belief, Defendant VICTORIA'S SECRET DIRECT BRAND MANAGEMENT, LLC ("VICTORIA'S SECRET") has a place of business in Columbus, Ohio.

JURISDICTION AND VENUE

1. This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a). On information and belief, the Defendants are subject to this Court's specific and general personal jurisdiction, pursuant to due process and/or the Texas Long Arm Statute, due at least to their substantial business in this forum, including related to the infringements alleged herein. Further, on information and belief, Defendants have interactive websites comprising infringing methods and apparatuses which are at least used in and/or accessible in this forum. Further, on information and belief, Defendants are subject to the Court's general jurisdiction, including from regularly doing or soliciting business, engaging in other persistent courses of

conduct, and/or deriving substantial revenue from goods and services provided to persons or entities in Texas.

2. Venue is proper in this district under 28 U.S.C. §§ 1391(b), 1391(c) and 1400(b). Without limitation, on information and belief, Defendants are subject to personal jurisdiction in this district. On information and belief, the Defendants are subject to this Court's specific and general personal jurisdiction in this district, pursuant to due process and/or the Texas Long Arm Statute, due at least to their substantial business in this district, including related to the infringements alleged herein. Further, on information and belief, Defendants have interactive websites comprising infringing methods and apparatuses which are at least used in and/or accessible in this district. Further, on information and belief, Defendants are subject to the Court's general jurisdiction in this district, including from regularly doing or soliciting business, engaging in other persistent courses of conduct, and/or deriving substantial revenue from goods and services provided to persons or entities in this district.

3. Further, venue of this action is appropriate and convenient because this Court previously heard a parallel action for infringement of the same '474 patent in *Geomas (International), Ltd., et al. vs. Idearc Media Services-West, Inc., et al.*, Civil Action No. 2:06-CV-00475-CE (the Geomas Lawsuit). In the Geomas Lawsuit this Court considered and construed the terms and claims of the '474 patent, as set forth in the Court's Memorandum Opinion and Order issued on November 20, 2008.

COUNT I

INFRINGEMENT OF U.S. PATENT NO. 5,930,474

4. United States Patent No. 5,930,474 (the “474 patent”), entitled “Internet Organizer for Accessing Geographically and Topically Based Information,” duly and legally issued on July 29, 1999.

5. GEOTAG is the assignee of the ‘474 Patent and it has standing to bring this lawsuit for infringement of the ‘474 Patent.

6. The claims of the ‘474 Patent cover, *inter alia*, systems and methods which comprise associating on-line information with geographic areas, such systems and methods comprising computers, an organizer, and a search engine configured to provide a geographical search area wherein at least one entry associated with a broader geographical area is dynamically replicated into at least one narrower geographical area, the search engine further configured to search topics within the selected geographical search area.

7. On information and belief, all Defendants named herein have infringed the ‘474 patent pursuant to 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the ‘474 patent.

8. On information and belief, 7FAM has infringed the ‘474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the ‘474 patent. On

information and belief, such systems and methods comprise the Store Locator at www.7forallmankind.com.

9. On information and belief, ACADEMY has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the Store Locator at www.academy.com.

10. On information and belief, ADIDAS has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the Store Finder at www.adidas.com.

11. On information and belief, AROMATIQUE has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the Retail Locator at www.aromatique.com.

12. On information and belief, ASICS has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with

geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the Search For A Local Retailer at www.asicsamerica.com.

13. On information and belief, AT&T MOBILITY has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the store locator at www.att.com and/or www.wireless.att.com.

14. On information and belief, AVON has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the Find A Representative at www.avon.com.

15. On information and belief, BEST BUY has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the Find A Best Buy Store at www.bestbuy.com.

16. On information and belief, BROOKSTONE has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or

offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the Store Locator at www.brookstone.com.

17. On information and belief, BROWN JORDAN has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the Dealer Locator at www.brownjordan.com.

18. On information and belief, CARTIER has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the Find A Boutique at www.cartier.us.

19. On information and belief, CHRISTIAN DIOR has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the Store Locator at www.dior.com, www.diorhomme.com and www.diorcouture.com.

20. On information and belief, CRAFTMASTER has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the Dealer Locator and Where To Buy at www.cmfurniture.com and www.craftmasterdoors.com.

21. On information and belief, DOLLAR TREE has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the Store Locator at www.dollartree.com.

22. On information and belief, FOOT LOCKER has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the Find A Store at www.footlocker.com.

23. On information and belief, GAMESTOP has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On

information and belief, such systems and methods comprise the Store Locator at www.gamestop.com.

24. On information and belief, GANDER MOUNTAIN has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the Find A Store Near You at www.gandermountain.com.

25. On information and belief, HINKLEY has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the Where To Buy at www.hinkleylighting.com.

26. On information and belief, KOHL'S has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the Store Locator at www.kohls.com.

27. On information and belief, LUCY has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with

geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise Find A Lucy Store at www.lucy.com.

28. On information and belief, MICHAELS has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the Find A Store at www.michaels.com.

29. On information and belief, NORDSTROM has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the Our Stores at www.nordstrom.com.

30. On information and belief, OLD NAVY has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the Store Locator at www.oldnavy.com and www.gap.oldnavy.com.

31. On information and belief, OSCAR DE LA RENTA has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or

offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the Store Locator at www.oscardelarenta.com.

32. On information and belief, PETSMART has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the Store Locator at www.petsmart.com.

33. On information and belief, ROLEX has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the Dealer Locator at www.rolex.com.

34. On information and belief, STERLING has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the Store Locator at www.jared.com and www.kay.com.

35. On information and belief, TARGET has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the Find A Store at www.target.com.

36. On information and belief, TJ MAXX has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the Store Locator at www.tjmaxx.com.

37. On information and belief, TOYS'R'US has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the Store Locator at www.toysrus.com and www.babiesrus.com.

38. On information and belief, VAN CLEEF has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the Boutique Search at www.vancleef-arpels.com.

39. On information and belief, VF has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the Store Locator and Find A Store Near You at www.7forallmankind.com, www.lucy.com, www.wrangler.com and/or www.thenorthface.com.

40. On information and belief, VICTORIA'S SECRET has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the Find A Store Near You at www.victoriassecret.com and www.vspink.com.

41. On information and belief, WRANGLER has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise Find A Store Near You at www.wrangler.com.

42. As a result of Defendants' infringing conduct, Defendants have damaged GEOTAG. Defendants are liable to GEOTAG in an amount that adequately compensates GEOTAG for their infringement, which, by law, can be no less than a reasonable royalty.

43. To the extent that facts learned during the pendency of this case show that Defendants' infringement is, or has been willful, GEOTAG reserves the right to request such a finding at time of trial.

PRAYER FOR RELIEF

WHEREFORE, GEOTAG respectfully requests that this Court enter:

1. A judgment in favor of GEOTAG that Defendants have infringed the '474 patent;
2. A permanent injunction enjoining Defendants, and their officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in active concert therewith from infringement, inducing the infringement of, or contributing to the infringement of the '474 patent;
3. A judgment and order requiring Defendants to pay GEOTAG its damages, costs, expenses, and prejudgment and post-judgment interest for Defendants' infringement of the '474 patent as provided under 35 U.S.C. § 284;
4. An award to GEOTAG for enhanced damages as provided under 35 U.S.C. § 284;
5. A judgment and order finding that this is an exceptional case within the meaning of 35 U.S.C. § 285 and awarding to GEOTAG its reasonable attorneys' fees; and
6. Any and all other relief to which GEOTAG may show itself to be entitled.

DEMAND FOR JURY TRIAL

Plaintiff, under Rule 38 of the Federal Rules of Civil Procedure, GEOTAG requests a trial by jury of any issues so triable by right.

March 2, 2011

Respectfully submitted,

GEOTAG, INC.

By: /s/ John J. Edmonds
John J. Edmonds—Lead Counsel
Texas Bar No. 789758
Michael J. Collins
Texas Bar No. 4614510
Stephen F. Schlather
Texas Bar No. 24007993
COLLINS, EDMONDS & POGORZELSKI,
PLLC
1616 S. Voss Road, Suite 125
Houston, Texas 77057
Telephone: (281) 501-3425
Facsimile: (832) 415-2535
jedmonds@cepiplaw.com
mcollins@cepiplaw.com
sschlather@cepiplaw.com

Charles van Cleef
COOPER & VAN CLEEF, PLLC
500 N Second St.
Longview, TX 75601
(903) 248-8244
(903) 248-8249 fax
charles@coopervancleef.com

ATTORNEYS FOR PLAINTIFF
GEOTAG, INC.

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Other defendants will be served in accordance with the Federal Rules of Civil Procedure.

March 2, 2011

/s/ John J. Edmonds
John J. Edmonds